

His performance as U.S. attorney has elicited high praise. The Raleigh News & Observer credited Frank Whitney for awakening elected officials to the "importance of ethics in government," and the newspaper attributed his incredible success to his "restless mental and physical energy" and "Boy Scout idealism." Others who have had the opportunity to observe Frank's work have described him as determined, yet fair.

Those who know Frank best—including those who have worked for him in the U.S. Attorney's Office—are effusive in their support for his nomination. One of Frank's colleagues made the following assessment: "Frank is personable and gracious, yet knows the law and seeks justice. He has an abiding love for our country and is deeply committed to the principles that have made it great. He appreciates the historic separation of powers and understands judicial self-restraint. Frank possesses vast legal knowledge and demonstrates admirable judicial temperament." This description is consistent with everything that I know about Frank Whitney, and I submit to my colleagues that this is precisely the type of person we need on our Federal courts.

There is another component of Frank's career that I must commend. That is his impressive record of military service, which began during his collegiate days at Wake Forest, where he participated in ROTC. Frank is presently a lieutenant colonel in the U.S. Army Reserves, and has worked as an intelligence officer and as a judge advocate. He has been awarded numerous military honors, including a Parachutist's Badge and three Meritorious Service Medals. Frank Whitney truly has dedicated his life to serving his country—as a civilian and as a soldier.

Frank comes to the Senate floor with impeccable credentials and with the unanimous approval of the Senate Judiciary Committee. I am confident that he will serve with great distinction as a member of the Federal judiciary, and it is my great privilege to give him my strongest endorsement. I implore my colleagues to confirm him.

Mr. BURR. Mr. President, today, I rise in support of a highly qualified individual to be confirmed to the Federal bench—Frank Whitney to be a U.S. district court judge in the Western District of North Carolina.

President Bush nominated Frank Whitney on February 14, 2006. Frank has impressive academic and professional credentials: He is currently a U.S. attorney in my home State of North Carolina; he has practiced in two very distinguished law firms; he was an assistant U.S. attorney in North Carolina for several years; he clerked for the DC Circuit Court of Appeals; he graduated with honors from law school at the University of North Carolina where he also received his MBA; and he graduated Phi Beta Kappa from my alma mater of Wake Forest University.

But perhaps one of the most honorable characteristics of Frank Whitney

is that he has done all of this while serving his country in the military. Frank continues his service in the Army Reserve both as an intelligence officer and as a judge advocate. He is a former paratrooper, has received three Meritorious Service Medals, and recently was selected for promotion to lieutenant colonel.

As I mentioned in my testimony to the Judiciary Committee and what I want to mention about Frank here today is that Frank is a good man. I have had the pleasure of meeting Frank's family—his wife Catherine, and one of his daughters.

Personally, as a husband and as a father, I want to feel confident that the individuals we confirm to a lifetime appointment on the Federal bench understand the seriousness and significance of the job for which they are being considered.

I am confident that Frank does understand the importance of being a Federal judge. I know Frank is qualified to serve on the bench, and I am confident that Frank will continue to serve his Nation with honor and dignity. I believe Frank will continue to make his family proud, and I am confident that North Carolina will have one of the best Federal judges in the country in Frank Whitney.

Frank Whitney possesses qualities necessary to serve as a U.S. district court judge. He is fairminded, evenhanded, and treats all with respect. He has repeatedly demonstrated a commitment to public service and a spirit of impartiality and cooperation. I believe Frank Whitney's honesty, integrity, and intelligence have earned him strong bipartisan support and he will continue to proudly serve as a representative of our country.

I thank my colleagues for supporting the nomination of Frank Whitney to be the next U.S. district court judge for the Western District of North Carolina.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Frank D. Whitney, of North Carolina, to be United States District Judge for the Western District of North Carolina?

The nomination was confirmed.

#### NOMINATION OF THOMAS D. ANDERSON TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF VERMONT FOR THE TERM OF FOUR YEARS

The PRESIDING OFFICER. The clerk will report the last nomination.

The legislative clerk read the nomination of Thomas D. Anderson, of Vermont, to be United States Attorney for the District of Vermont for the term of four years.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I have spoken earlier about Mr. Anderson. For those of us who have been prosecutors in Vermont or care about the prosecutor's office, I think President Bush has

made a fine choice here. And, of course, I strongly support Mr. Anderson for the reasons I stated earlier.

I think everybody here and in the Department of Justice will breathe a sigh of relief. We have had wonderful acting U.S. attorneys for some time since former U.S. attorney Peter Hall went to the Second Circuit. But this will be a very good move to have him as U.S. attorney.

I compliment Tom and his family and, of course, the President.

I yield the floor.

#### CONFIRMATION OF THOMAS D. ANDERSON

Mr. LEAHY. Mr. President, today we confirm Thomas D. Anderson as U.S. attorney for the District of Vermont. I am pleased that we acted promptly in the Judiciary Committee to report Tom's nomination to the floor and that the Senate is acting promptly to confirm him. As an assistant U.S. attorney in Burlington for 14 of the last 19 years, the managing partner of a respected Burlington law firm, and as deputy state's attorney in Newport, Tom's varied experience and long ties to Vermont have prepared him well to be Vermont's top Federal law enforcement official.

We have a strong tradition of good law enforcement in Vermont. Our most recent U.S. attorneys are part of that tradition. Charlie Tetzlaff served an extended term and has gone on to distinguish himself as the Executive Director of the U.S. Sentencing Commission. Peter Hall served ably and now fills the Vermont seat on the U.S. Court of Appeals for the Second Circuit.

Tom is the kind of well-qualified consensus nominee who can be easily confirmed by the Senate. In fact, I joined with Republican Gov. Jim Douglas in recommending Tom to President Bush. As a former prosecutor, I have been particularly impressed with his work since returning to the U.S. Attorney's Office in 2001 as head of the narcotics unit and as the lead attorney of the Department of Justice's Organized Crime Drug Enforcement Task Force. He has worked closely with both Federal and State drug investigators to identify and target the highest level drug traffickers in Vermont and to coordinate major drug investigations covering many districts. I believe his work on drug crime is especially important preparation as we continue to target those crimes, which are one of Vermont's most difficult law enforcement challenges.

In addition to his work combating drug crimes, Tom has gained a wide variety of experience in private practice and as a prosecutor. He spent 3 years at the U.S. Attorney's Office in the civil division, prosecuting civil enforcement actions in Federal court brought under the False Claims Act and other statutes. In 1994, he was assigned as a special assistant attorney general for the

State of Vermont to prosecute police officers charged with obstruction of justice. While a partner at Sheehey Furlong Rendall & Behm, Tom's firm represented the State of Vermont in its litigation against the tobacco industry. And of course I must discuss one of Tom's finest accomplishments, his 1979 graduation from St. Michael's College in Colchester, VT, my alma mater.

Tom has a keen legal and will bring a great deal of experience and enthusiasm to this important law enforcement post. Congratulations to Tom, his wife Wendy, and his entire family on his confirmation today.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Thomas D. Anderson, of Vermont, to be United States Attorney for the District of Vermont for the term of four years?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's actions.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

The Senator from Michigan.

### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007—Continued

Mr. LEVIN. Mr. President, as a result of the extraordinarily hard work, dedication, and cooperation, on a bipartisan basis, of every one of our committee members, and our extraordinary staff, as well as the assistance of really superb floor staffs on both sides of the aisle, we have just seen a unanimous passage of the Defense authorization bill.

As I mentioned before, this is a real tribute to our chairman. I am going to save all the accolades, however, for still a later time. When the chairman brings back a conference report, we will then, hopefully, have enough people here on the floor who can both join in the kudos and hear the applause for our chairman.

Our staff loses a great deal of sleep to get this bill passed. And there is never enough attention that is paid to staff. No matter how many times we take a moment to just say thanks to our staff, it never comes close to paying the tribute which is really owed to them.

Charlie Abell, who is the majority staff director, is just a wonderful human being as well as a gifted professional. He and all the other members of your staff, I say to Senator WARNER, are really, really terrific. And I cannot say enough about Rick DeBobes, Peter Levine, and all of the members of my staff. Rick, our minority staff director, leads a truly extraordinary staff.

Mr. President, I guess the best way I can express my gratitude is to ask that the names of my staff be printed in the

RECORD at this time. I ask unanimous consent that a list of their names be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Jon Clark, Chris Cowart, Dan Cox, Madelyn Creedon, Rick DeBobes, Brie Eisen, Evelyn Farkas, Richard Fieldhouse, Creighton Greene, Bridget Higgins, Mike Kuiken, Gary Leeling, Peter Levine, Mike McCord, Bill Monahan, Mike Noblet, Arun Seraphin.

Mr. LEVIN. Mr. President, also, talking about accolades, I want to single out Senator CANTWELL for an amendment which she authored relative to the replacement of National Guard equipment that has been left in Iraq and Afghanistan. The absence of this equipment has undermined the ability of the National Guard units to train and to meet the requirements in their home States. And the Cantwell amendment is going to require the Department to establish a comprehensive plan to recapitalize or to replace this equipment.

It is going to be an essential addition, replacement for the National Guard. There was not enough attention paid to this amendment as things kind of flew through here. I want to thank Senator CANTWELL for her leadership in making sure our National Guard is well equipped and given the support they deserve.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, if I might join my distinguished colleague from Michigan, it has been a privilege for me, as it has for these 28 years we have been together, to work as partners and in many respects equals. He has been chairman of the committee. I have been chairman of the committee. We have both occupied positions of chairman and ranking member in these many years that we have been fortunate to serve on this committee together, and we have a very outstanding group of colleagues who are members of the committee. I thank my good friend for these many years. I am very proud, as he is, of this piece of legislation, which at this critical juncture in our Nation's history, with our forces serving in over 60 Nation across the world, and their families here at home are with them, we have them in mind at all times and, indeed, a very significant group of Civil Service employees who likewise are serving our Nation in their capacities with the Department of Defense and other departments and agencies related to our national security.

Senator LEVIN mentioned particularly our senior staff, our full staff, as a matter of fact. In many ways, some of the juniors work harder than seniors some days, but I won't get into that. I best leave that to my able staff director, Charlie Abell, as you leave that to your staff director. But we are fortunate to have these two staff directors and these magnificent staffs. They

really are professional staffs. The appointment of our staff, I don't even recall inquiring as to the political affiliation of so many of these individuals that I have had the privilege of working with these many years in the Senate. But indeed, they do work long hours. Their reward is not the pay. Their reward is a sense of satisfaction, as it is for you and me and members of our committee and, indeed, the Members of the Senate, of what we are trying to do on behalf of the uniformed men and women of the Armed Forces and their families and their civilian counterparts.

I thank my distinguished colleague.

I ask unanimous consent that S. 2766, as amended, be printed as passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I further ask unanimous consent that the Senate proceed immediately to the consideration en bloc of S. 2767 through S. 2769, Calendar Order Nos. 427, 428, and 429, that all after the enacting clause of those bills be stricken and that the appropriate portion of S. 2766, as amended, be inserted in lieu thereof, according to the schedule which I am sending to the desk; that these bills be advanced to third reading and passed, the motion to reconsider en bloc be laid upon the table, and that the above actions occur without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

### DEPARTMENT OF DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The bill (S. 2767) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended.

(The text of the bill will be printed in a future edition of the RECORD.)

### MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 2007

The bill (S. 2768) to authorize appropriations for fiscal year 2007 for military construction, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended.

(The text of the bill will be printed in a future edition of the RECORD.)

### DEPARTMENT OF ENERGY NATIONAL SECURITY ACT FOR FISCAL YEAR 2007

The bill (S. 2769) to authorize appropriations for fiscal year 2007 for defense activities of the Department of Energy, and for other purposes, was considered,